IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

NICHOLAS WEIR,	)	
	)	Civil Action No. 2:23-cv-439
Plaintiff,	)	
	)	Judge Robert J. Colville
vs.	)	Magistrate Judge Patricia L. Dodge
	)	
FEDERAL BUREAU OF	)	
INVESTIGATIONS, et al.,	)	
	)	
Defendants.	)	

MEMORANDUM ORDER OF COURT

Before the Court are the following appeals[1]: Plaintiff's objections (ECF No. 87) to the

Honorable Patricia L. Dodge's July 25, 2023 Order (ECF No. 78) denying Plaintiff's Motions for

Default and Default Judgment (ECF Nos. 74, 76); Plaintiff's objections (ECF No. 87) to Judge

Dodge's July 25, 2023 Order (ECF No. 82) granting Defendants, Camilo Caceres, MD and Sherry

Sagath, PA's, Motion for Extension of Time to File Response/Reply (ECF No. 80); Plaintiff's

objections (ECF No. 94) to Judge Dodge's August 22, 2023 Order (ECF No. 92) directing

Defendants Cheryl and William Abt to file a Reply Brief in Support of their Joinder to a Motion

to Dismiss and Plaintiff to file a Surreply Brief; and Plaintiff's objections (ECF No. 113) to Judge

Dodge's September 12, 2023 Order (ECF No. 105) denying Plaintiff's Motion for Leave to File a

Motion for Default and/or Default Judgment (ECF No. 104).

"The Federal Magistrates Act provides two separate standards of judicial review of orders

on matters referred to magistrate judges." *Alarmax Distributors, Inc. v. Honeywell Int'l Inc.*, No.

2:14-cv-1527, 2015 WL 12756857, at *1 (W.D. Pa. Nov. 24, 2015) (citing 28 U.S.C. § 636(b)(1)).

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[1] The Court has construed Plaintiff's filings, which are entitled "Objections" as appeals to the district court.

A district court reviews objections to a magistrate judge's decision on non-dispositive matters to determine whether any part of the order is clearly erroneous or contrary to law. 28 U.S.C. § 636(b)(1)(A); Fed. R. Civ. P. 72(a). A district court may only modify or set aside those parts of the order on non-dispositive matters that it finds to be clearly erroneous or contrary to law. *Id*. "A finding is 'clearly erroneous' when, 'although there is evidence to support it, the reviewing court on the entire evidence is left with the definite and firm conviction that a mistake has been committed.'" *Pennsylvania, Dep't of Envtl. Prot. v. Allegheny Energy, Inc.*, No. 2:05-cv-885, 2007 WL 2253554, at *1 (W.D. Pa. Aug. 3, 2007) (quoting *Anderson v. City of Bessemer*, 470 U.S. 564, 573 (1985)). "A magistrate judge's order is contrary to law 'when the magistrate judge has misinterpreted or misapplied the applicable law.'" *Brandon v. Burkhart*, No. 1:16-cv-177, 2020 WL 85494, at *2 (W.D. Pa. Jan. 7, 2020) (quoting *Doe v. Hartford Life & Accident Ins. Co.*, 237 F.R.D. 545, 548 (D.N.J. 2006)).

Objections to a magistrate judge's disposition of a dispositive matter are subject to de novo review before the district judge. 28 U.S.C. § 636(b)(1)(B)-(C); Fed. R. Civ. P. 72(b)(3). The reviewing district court must make a de novo determination of those portions of the magistrate judge's report and recommendation to which objections are made. *Id.* Following de novo review, "[t]he district judge may accept, reject, or modify the recommended disposition; receive further evidence; or return the matter to the magistrate judge with instructions." Fed. R. Civ. P. 72(b)(3).

Upon consideration of Plaintiff's Appeals (ECF Nos. 87, 94, 113), Judge Dodge's Orders (ECF Nos. 78, 82, 92, and 105), and the relevant briefing, and following a review of the record in this matter, the Court agrees with the well-reasoned analysis set forth in each of the Orders. Accordingly, it is hereby ORDERED that Plaintiff's Appeals of Judge Dodge's Orders are denied,

and Judge Dodge's July 25, 2023 Order (ECF No. 78); July 25, 2023 Order (ECF No. 82); August

22, 2023 Order (ECF No. 92); and September 12, 2023 Order (ECF No. 105) are affirmed.

                                        BY THE COURT:
                                        /s/ *Robert J. Colville*
                                        Robert J. Colville
                                        United States District Judge

Dated: January 29, 2024

cc: The Honorable Patricia L. Dodge
        United States Magistrate Judge

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        All counsel of record via CM/ECF